

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE JOINT RESOLUTION NO. 16
97TH GENERAL ASSEMBLY

Reported from the Committee on the Judiciary and Civil and Criminal Jurisprudence, May 8, 2013, with recommendation that the Senate Committee Substitute do pass.

0895S.02C

TERRY L. SPIELER, Secretary.

JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment to article I of the Constitution of Missouri, and adopting one new section relating to admissibility of evidence.

Be it resolved by the Senate, the House of Representatives concurring therein:

That at the next general election to be held in the state of Missouri, on
2 Tuesday next following the first Monday in November, 2014, or at a special
3 election to be called by the governor for that purpose, there is hereby submitted
4 to the qualified voters of this state, for adoption or rejection, the following
5 amendment to article I of the Constitution of the state of Missouri:

Section A. Article I, Constitution of Missouri, is amended by adding one
2 new section, to be known as section 18(c), to read as follows:

**Section 18(c). Notwithstanding the provisions of sections 17 and
2 18(a) of this article to the contrary, in prosecutions for crimes of a
3 sexual nature involving a victim under eighteen years of age, relevant
4 evidence of prior criminal acts, whether charged or uncharged, is
5 admissible for the purpose of corroborating the victim's testimony or
6 demonstrating the defendant's propensity to commit the crime with
7 which he or she is presently charged. The court may exclude relevant
8 evidence of prior criminal acts if the probative value of the evidence
9 is substantially outweighed by the danger of unfair prejudice.**

Section B. The official ballot title for section A of this act shall read as
2 follows:

3 "Shall the Missouri Constitution be amended so that it will be permissible to
4 allow relevant evidence of prior criminal acts to be admissible in prosecutions for
5 crimes of a sexual nature involving a victim under eighteen years of age?"

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